

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARVIN DISMUKE,

Petitioner,

v.

Criminal Case No. 99-80892
Hon. John Corbett O'Meara

UNITED STATES OF AMERICA,

Respondent.

**ORDER DENYING PETITIONER'S REQUEST
FOR TERMINATION OR REDUCTION OF SUPERVISED RELEASE**

Petitioner Marvin Dismuke pleaded guilty to conspiring to distribute heroin and cocaine base. He was sentenced to a term of imprisonment of sixty months and four years of supervised release. In a motion filed June 2, 2005, Petitioner argues that the supervised release term is an undue hardship and a judicial abuse of discretion. He requests that his supervised release term be reduced pursuant to 18 U.S.C. § 3583(e)(1) and 18 U.S.C. § 3563(c). The government filed a response on June 16, 2005. Petitioner has stated no reasons why his term of supervised release is an undue hardship. Many defendants who were convicted of drug offenses are placed on supervised release for periods of time similar to Petitioner's four year term. Petitioner has given no reason why he should be treated any differently. There is no basis for the court to grant Petitioner's motion.

Accordingly, **IT IS HEREBY ORDERED** that Petitioner's June 2, 2005 Request for Termination or Reduction of Supervised Release is **DENIED**.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: September 9, 2005